

EDWARDS ANGELL PALMER & DODGE LLP

David R. Marshall

Robert J. Brener

Attorneys for New York University and  
New York University Hospitals Center  
750 Lexington Avenue  
New York, New York 10022.6030  
212.308.4411

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DESMOND LEUNG and WILTON JONES,

Plaintiffs,

08 CV 5150 (GBD)

-against-

**NOTICE OF MOTION**

NEW YORK UNIVERSITY, NEW YORK UNIVERSITY  
MEDICAL CENTER, RICHARD COHEN, DANIEL  
BENSIMON, JESSICA GARCIA, CAROL STRAPKAY,  
GINELLE ANDREWS, SABRINA STINES, and JEAN  
GOLDBERG,

Defendants.

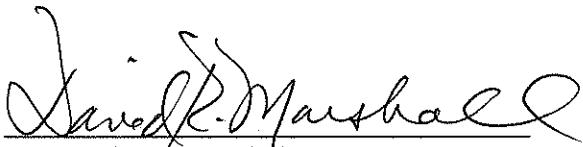
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PLEASE TAKE NOTICE that upon the Declaration Of David R. Marshall, dated September 5, 2008, and the exhibits attached thereto, and the accompanying Memorandum Of Law In Support Of Defendants New York University's and NYU Hospitals Center's Motion For Partial Dismissal Of The Complaint, Defendants New York University and NYU Hospitals Center will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and time to be designated by the Court, for an order pursuant to Rule 12 (b)(6) and (1) of the Federal Rules of Civil Procedure, partially dismissing, with prejudice, the Complaint of Plaintiffs Desmond Leung and Wilton Jones and granting such other and further relief, including costs and attorneys' fees, as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Rule 6.1 of the Local Civil Rules of the Southern and Eastern Districts of New York, Plaintiffs shall serve any opposing affidavits and answering memoranda within ten business days after service of Defendants' motion to dismiss the Complaint.

Dated: September 5, 2008  
New York, New York

EDWARDS ANGELL PALMER & DODGE LLP

By:   
David R. Marshall

Robert J. Brener

Attorneys for Defendants New York University and  
NYU Hospitals Center  
750 Lexington Avenue  
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To: Ugo Uzoh, P.C.  
Attorneys for Plaintiffs  
255 Livingston Street, 4<sup>th</sup> Floor  
Brooklyn, NY 11217  
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UNITED STATES DISTRICT COURT  
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DESMOND LEUNG and WILTON JONES,

Plaintiffs,

08 CV 5150 (GBD)

-against-

**AFFIDAVIT  
OF SERVICE**

NEW YORK UNIVERSITY, NEW YORK UNIVERSITY  
MEDICAL CENTER, RICHARD COHEN, DANIEL  
BENSIMON, JESSICA GARCIA, CAROL STRAPKAY,  
GINELLE ANDREWS, SABRINA STINES, and JEAN  
GOLDBERG,

Defendants.

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Julia Rabinovich, being duly sworn, deposes and says that she is over the age of eighteen; is not a party to this action; and that on the 5<sup>th</sup> day of September, 2008, she caused a true and correct copy of the foregoing NOTICE OF MOTION to be served upon:

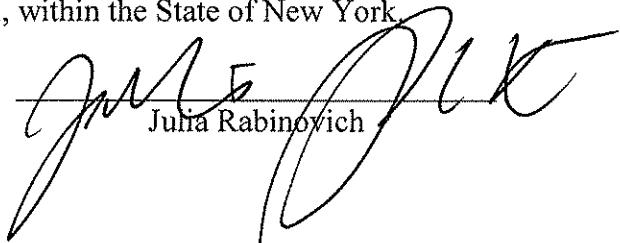
**Ugo Uzoh, P.C.  
Attorneys for Plaintiff  
255 Livingston Street, 4<sup>th</sup> Floor  
Brooklyn, NY 11217**

by depositing a true copy of said document enclosed in prepaid, sealed wrapper, properly addressed to the above-named party, in an official depository under the exclusive care and custody of the United States Postal Service, first class mail, within the State of New York.

Sworn to before me this  
5<sup>th</sup> day of September 2008

  
Notary Public

JEAN W. McLOUGHLIN  
Notary Public, State of New York  
No. 01MC6184463  
Qualified in Queens County  
Commission Expires April 7, 2012



Julia Rabinovich